#### CONTRACT

### State of Vermont

Buildings and General Services Office of Purchasing & Contracting 10 Baldwin St Montpelier VT 05633-7501 USA



Vendor ID 0000010334 Work Area Protection Corp 2500 Production Dr PO Box 4087 ST Charles IL 601749081 USA

Contract ID		Page
000000000000000	00000011025	1 of 3
Contract Dates		Origin
11/15/2006 to 11	1/14/2009	CPŠ
Description:		Contract Maximum
CPS-CHANNELIZER DRUMS		\$999,999.00
Buyer Name	Buyer Phone	Contract Status
Sellears.Stuart	828-3701	Approved

Phone #: 630 377-9100

Line #	Item ID	Item Desc	UOM	Unit Price	Max Qty	Max Amt
1	8573	CHANNELIZER DRUMS: VARIOUS			0.00	0.00

Furnish and deliver as described below and in accordance with the terms and conditions of this solicitation the following:

Item 12 - Drum with NO BASE

- a. with 4" engineer grade stripes \$23.97 B400-4-4EG
- b. with 4" high intensity grade stripes \$34.15 B400-4-4HI
- c. with 4" super high intensity grade stripes \$47.27 B400-4-4DG
- d. with 6" engineer grade stripes \$27.37 B400-4-6EG
- e. with 6" high intensity grade stripes \$42.33 B400-4-6HI
- f. with 6" super high intensity grade stripes \$61.16 B400-4-6DG
- Item #13 Drum with 25 lb. molded rubber base
- a. with 4" engineer grade stripes \$36.95 B400-25R4-4EG
- b. with 4" high intensity grade stripes \$47.13 B400-25R4-4HI
- c. with 4" super high intensity grade stripes \$58.23 B400-25R4-4DG
- d. with 6" engineer grade stripes \$40.35 B400-25R4-6EG
- e. with 6" high intensity grade stripes \$55.32 B400-25R4-6HI
- f. with 6" super high intensity grade stripes \$72.12 B400-25R4-6DG
- Item #14 Drum with 40 lb. molded rubber base
- a. with 4" engineer grade stripes \$44.10 B400-40R4-4EG
- b. with 4" high intensity grade stripes \$51.72 B400-40R4-4HI
- c. with 4" super high intensity grade stripes \$62.11 B400-40R4-4DG
- d. with 6" engineer grade stripes \$44.95 B400-40R4-6EG
- e. with 6" high intensity grade stripes \$59.90 B400-40R4-6HI
- f. with 6" super high intensity grade stripes \$76.00 B400-40R4-6DG
- Item #15 Drum with plastic base
- a. with 4" engineer grade stripes \$28.99 B400-PB4-4EG
- b. with 4" high intensity grade stripes \$39.17 B400-PB4-4HI
- c. with 4" super high intensity grade stripes \$51.52 B400-PB4-4DG
- d. with 6" engineer grade stripes \$32.40 B400-PB4-6EG
- e. with 6" high intensity grade stripes \$47.36 B400 PB4-6HI
- f. with 6" super high intensity grade stripes \$65.41 B400-PB4-6DG

MINIMUM ORDER: Minimum order is 10 Drums. Contractor will accept orders for fewer, shipping costs prepaid and added.

#### CONTRACT TERMS AND ADDITIONAL INFORMATION

THIS CONTRACT IS ISSUED IN CONJUNCTION WITH THE STATE OF NEW YORK AWARD # 20187 RA AND CONTRACT #PC62813, AND INFORMATION CONTAINED IN THE RFP AND NEW YORK AWARD AND CONTRACT IS MADE A PART OF THIS CONTRACT.

#### DISCOUNTS FOR QUICK PAYMENT:

3% CASH DISCOUNT FOR PAYMENT WITHIN 15 DAYS OF DELIVERY AND/OR RECEIPT OF VOUCHER. 1% CASH DISCOUNT FOR PAYMENT WITHIN 30 DAYS OF DELIVERY AND/OR RECEIPT OF VOUCHER.

DELIVERY: FOB DESTINATION, ANY POINT IN VERMONT, TAILGATE DELIVERY

Guaranteed Delivery: 5 - 10 days A. R. O.

CONTRACT TERM: THIS CONTRACT IS WRITTEN FOR AN INITIAL TWO YEAR TERM WITH OPTION FOR TWO ONE-YEAR EXTENSIONS (NYS AWARD ALLOWS UP TO FIVE YEARS EXTENSIONS)- NOTE: AWARD PRICES ARE SUBJECT TO TO AN INCREASE OR DECREASE AFTER THE FIRST FOUR MONTH PERIOD OF THE CONTRACT, AND EVERY FOUR MONTHS THEREAFTER. NEW YORK WILL ISSUE A PURCHASING MEMORANDUM TO REFLECT CHANGE. OPTION FOR SHORT TERM EXTENSION(S) MAY BE BASED ON NEW YORK STATE EXTENSION(S). ANY SUCH EXTENSIONS SHALL TERMINATE SHOULD A REPLACEMENT CONTRACT BE ISSUED IN THE INTERIM. PRICE CHANGES AFTER INITIAL FOUR MONTHS: will be based on the Producer Price Index (PPI) Series Id: PCU325211325211P for Plastics Material & Resins Manufacturing - Primary Products as most recently published by the U.S. Department of Labor, whether or not indicated as "preliminary and according to the formula in the New

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			Unit	Max	Max
Line # Item ID	Item Desc	UOM	Price	Qty	Amt

York contract..

The State will not effect any price adjustments, either increases or decreases, for percentage changes of two percent (2%), or less.

PRICE DECREASES ARE ALLOWED AT ANY TIME.

PHONE: 800-327-4417

ALTERNATE PHONE: 630-377-9100

FAX: 630-377-9270

EMAIL: WORKAREAPROTECTION.COM

CONTACT: RICHARD BIELSKI

RECYCLE CONTENT: DRUMS WITH 25 LB BASE CONTAIN 71% TOTAL RECYCLED CONTENT, ALL OF WHICH IS POST CONSUMER. DRUMS WITH 40 LB BASE CONTAIN 79% TOTAL RECYCLED CONTENT, ALL OF WHICH IS POST CONSUMER.

ATTACHMENT: PURCHASING AND CONTRACT ADMINISTRATION TERMS AND CONDITIONS DATED 01/01/2007 ARE ATTACHED AND INCORPORATED AS PART OF THIS CONTRACT.

QUANTITY: QUANTITIES ARE ESTIMATED ONLY BASED ON PRIOR USAGE AND MAY BE INCREASED OR DECREASED TO MEET ACTUAL REQUIREMENTS.

METHOD OF ORDERING: PURCHASE ORDERS MUST BE USED TO ORDER ITEMS AVAILABLE UNDER THIS CONTRACT. IF VERBAL ORDERS ARE GIVEN A CONFIRMING PURCHASE ORDER MUST BE ISSUED.

CANCELLATION: THE STATE SPECIFICALLY RESERVES THE RIGHT TO CANCEL THE CONTRACT OR ANY PORTION THEREOF PROVIDING, IN THE OPINION OF ITS COMMISSIONER OF BUILDINGS AND GENERAL SERVICES, THE SERVICES OR MATERIALS SUPPLIED BY THE CONTRACTOR ARE NOT SATISFACTORY OR CONSISTENT WITH THE TERMS OF THE CONTRACT.

DELIVERY: SHIPMENTS SHALL BE SECURELY AND PROPERLY PACKED, ACCORDING TO ACCEPTED COMMERCIAL PRACTICE. DELIVERIES, WHICH DO NOT CONFORM TO THE SPECIFICATIONS OR ARE NOT IN GOOD CONDITION UPON RECEIPT, SHALL BE REPLACED PROMPTLY BY THE CONTRACTOR.

INVOICING: ALL INVOICES ARE TO BE RENDERED BY THE CONTRACTOR IN DUPLICATE ON THE VENDOR S STANDARD BILLHEAD AND FORWARDED DIRECTLY TO THE INSTITUTION OR AGENCY ORDERING MATERIALS OR SERVICES.

DEFAULT: IN CASE OF DEFAULT OF THE CONTRACTOR, THE STATE MAY PROCURE THE MATERIALS OR SUPPLIES FROM OTHER SOURCES AND HOLD THE CONTRACTOR RESPONSIBLE FOR ANY EXCESS COST OCCASIONED THEREBY, PROVIDED, THAT IF PUBLIC NECESSITY REQUIRES THE USE OF MATERIALS OR SUPPLIES NOT CONFORMING TO THE SPECIFICATIONS THEY MAY BE ACCEPTED AND PAYMENT THEREFORE SHALL BE MADE AT A PROPER REDUCTION IN PRICE.

THIS CONTRACT IS ALSO ISSUED ON BEHALF OF THE VERMONT STATE COLLEGES INC., A SEPARATE CORPORATION, HAVING UNDER ITS JURISDICTION CASTLETON STATE COLLEGE, JOHNSON STATE COLLEGE, LYNDON STATE COLLEGE, COMMUNITY COLLEGE OF VT AND THE VERMONT TECHNICAL COLLEGE. THIS ALSO APPLIES TO THE UNIVERSITY OF VERMONT.

POLITICAL SUBDIVISIONS AND INDEPENDENT COLLEGES OF THE STATE MAY PARTICIPATE IN THIS CONTRACT AT THE SAME PRICES, TERMS AND CONDITIONS. ITEMS FURNISHED TO POLITICAL SUBDIVISIONS AND INDEPENDENT COLLEGES WILL BE BILLED DIRECTLY TO AND PAID FOR BY THE POLITICAL SUBDIVISIONS OR INDEPENDENT COLLEGES AND NEITHER THE STATE NOR ITS COMMISSIONER OF BUILDINGS & GENERAL SERVICES PERSONALLY OR OFFICIALLY ASSUMES ANY RESPONSIBILITY.

AGENCIES & DEPARTMENTS ARE REQUESTED TO ADVISE THE PURCHASING AGENT AT ONCE OF THE FAILURE ON THE PART OF THE CONTRACTOR TO FULFILL ANY OF THE TERMS OR CONDITIONS OF THIS CONTRACT.

PLEASE REFER TO THE ASSIGNED CONTRACT NUMBER/PURCHASE ORDER # ON ALL CORRESPONDENCE. DELIVERY DOCUMENTS AND INVOICES.

Customer Satisfaction Survey: To help us understand how we can better serve you, we are interested in receiving your comments regarding the quality of service you received in you most recent interaction with the Department of Buildings & General Services (BGS). Please complete the on-line Customer Comment Form at http://www.bgs.state.vt.us/forms/bgs\_surveys/index.php?type=customer&action=customer

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Phone #: 630 377-9100

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				Unit	Max	Max
Line #	Item ID	Item Desc	UOM	Price	Qty	Amt
AMEND	DMENT #1	I (OCTOBER 2008)-PRICE INCREAS	E OF 23.6% WAS ISSUED PER STATE OF NEW	YORK PURCHA	SING MEMORANDUM	
DATED	OCTOBE	ER 1, 2008. CONTRACT TERM IS EX	ΓENDED ONE-YEAR TO 11/14/2009. ALL OTHEI	R TERMS AND C	ONDITIONS REMAIN	
THE SA	AME.					

AMENDMENT #2 (FEBRUARY 2009)- PRICE DECREASE OF 2.8% WAS ISSUED PER STATE OF NEW YORK PURCHASING MEMORANDUM DATED FEBRUARY 2, 2009. ALL OTHER TERMS AND CONDITIONS REMAIN THE SAME.

#### WE THE UNDERSIGNED PARTIES AGREE TO BE BOUND BY THIS CONTRACT

By the STATE of VERMONT	By the CONTRACTOR
Date:	Date:
Signature:	Signature:
Name:	Name:
Title:	Title:
Email:	Email: